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30 June, 1971.

TO: The Honorable Henry A. Kissinger

FROM: David Bruce

ON-FILE NSC RELEASE INSTRUCTIONS APPLY

Dear Henry:

I have the following hasty comments to make on your letter of June 28, 1971, and its attachments. They have been typed by General Walters' secretary, and the only copy of them as well as your original have been deposited in Walters' custody.

Parenthetically, let me say that on no account do I think you or any other American Official should have talks with Madame Binh unless the Saigon Government participates.

I suggest an attempt be made to reconcile the differences between the two June 26 presentations in somewhat these terms, except for those demands that are unacceptable to us.

Modified U.S. Seven-Point Proposal

First: We are prepared to set a terminal date for the withdrawal of all our forces from Vietnam. This date will be negotiated between the parties concerned. We would arrange approximately the same timetable for the withdrawal of other Allied Forces.

Second: The Vietnamese and other peoples of Indochina will discuss among themselves the manner in which all other outside forces will withdraw from the countries of Indochina. (Note: This^{is} of capital importance to Laos and Cambodia, as well as to South Vietnam).

Third: There shall be a ceasefire in place throughout Indochina to become effective at the time when U.S. withdrawals based on the final agreed timetable begin.

As part of the ceasefire there will be no further infiltration of outside forces from any source into the countries of Indochina. (Note: This should be refined in negotiations to include specifically North Vietnamese intruders).

There shall be international supervision of the ceasefire and its provisions.

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By: *NSC Staff* J.C. Date: *6/15/71*

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Fourth: The release of all military men and innocent civilians captured during the war by both sides will begin on the same day as our force withdrawals under the agreed timetable and will be completed at least two months before the termination of our final withdrawals. (Note: I think your language on this item much more satisfactory than theirs, though it could be safely modified somewhat in negotiation.) (Further Note: I assume they will seriously dispute over who would qualify as "innocent civilians", especially because of the many alleged Vietcong in GVN prisons.)

Your side will present a complete list of American prisoners throughout Indochina on the day an agreement is reached. You will also present us a list of all American personnel missing in action who can be identified by your records and those of the PRG, the Pathet Lao and the Sihanouk faction. (This is important.)

Fifth: Their point 4 is entirely unacceptable and we will not discuss it.

Sixth: Their point 5 is biased and unrealistic. It could be dealt with later.

Seventh: Their point 6 is a pious platitude and should be disregarded.

Eighth: Their vague point 9 can be discussed at a later time. (As to neutrality, North Vietnam should be included).

The above leaves for consideration their point 3, the crux of the problem. The best way to counter this is to use the President's well-known pronouncements on the subject. If they insist on our intervention to displace Thieu, Ky, Khiem, or for the imposition of a coalition government, I believe you should break off the talks. In this area we have little, if any, room for manoeuvre.

COMMENTS.

I would think it unlikely that they will not seek still another meeting with you after the July 12 one.

Personally, despite the strong domestic pressure at home, I think a transaction whereby we give total retirement of our troops

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(and other conditions will almost certainly be added by them, such as cessation of military aid to the Saigon Government) in return for the release of American prisoners is an undesirable deal. A simultaneous cease fire throughout the peninsula should be an essential part of the package. That does separate for the time being the military from a political solution, but if they prove obdurate on the linking of the two I think the President would be well advised to continue his existing policies until his November 15 declaration on future force reductions.

In reference to our interchange in London on the composition of our mission here after July 31, I would like to proffer other reflections.

I am handicapped by knowing so few men who might be useful here other than a handful of my own over-age contemporaries. I feel that it would be satisfactory to make a foreign service officer such as Sullivan Chief of Mission. But if your efforts should succeed, I suggest an individual be named by the President to conclude the details of negotiation. He could be named a Special Adviser, with the title of Ambassador for this purpose, and the routine duties and background of support could be provided by Sullivan et al. For this assignment, which would not necessarily require long or continuous residence in Paris, the already overburdened Jack McCloy would be my instinctive choice. His legal talents and unusual competence in negotiation, as well as his international reputation, would be invaluable if he would undertake such responsibilities. Another person of my own age of international stature, and a skillful negotiator, is Eugene Black. It would be difficult for members of Congress to denigrate their fitness for this task.

I look forward to seeing you in Paris on July 11th or 12th.

With warm regards,

Ever yours,

David.

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